

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

SWIFT & CO.,

Civil No. 05-2775 (JRT/AJB)

Plaintiff,

v.

**ORDER FOR DISMISSAL
WITH PREJUDICE**

ELIAS FARMS, INC.,

Defendant.

Carrie Zochert and Kenneth Corey-Edstrom, **LARKIN, HOFFMAN, DALY & LINDGREN, LTD**, 7900 Xerxes Avenue South, Suite 1500, Minneapolis, MN 55431, for plaintiff.

Jared Peterson, **BERENS, RODENBERG & O'CONNOR**, 519 Center Street, Post Office Box 428, New Ulm, MN 56073, for defendant.

This matter came before the Court on the parties' stipulation of dismissal [Docket No. 102].

Based upon all of the records, files, proceedings herein, **IT IS HEREBY ORDERED** that pursuant to Rule 41 of the Federal Rules of Procedure, this matter is hereby **DISMISSED WITH PREJUDICE**. The parties will each bear their own costs.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: May 7, 2009
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge